

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION**

**TED L. KUBALA, JR., AND  
TRENTON SCHULZE,  
Individually and on behalf of  
all others similarly situated,  
PLAINTIFFS**

**VS.**

**SUPREME PRODUCTION  
SERVICES, INC.,  
DEFENDANT**

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**CIVIL ACTION NO.  
2:15-cv-00116**

**UNOPPOSED**

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**UNOPPOSED MOTION FOR LEAVE OF DEFENDANT, SUPREME PRODUCTION  
SERVICES, INC., TO FILE REPLY TO RESPONSE OF PLAINTIFF, TED KUBALA,  
JR., TO MOTION TO DISMISS FOR LACK OF JURISDICTION**

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**TO THE HONORABLE UNITED STATES DISTRICT COURT JUDGE:**

Now comes, Defendant **SUPREME PRODUCTION SERVICES, INC.**  
("Defendant") seeking leave to file a reply and shows the Court:

1.1 Defendant has moved the Court (Docs. 9 and 11) to dismiss all of the claims of Plaintiff, Ted L. Kubala, Jr. ("Kubala") raised his Original Collective Action Complaint (Doc. 1) and the First Amended Collective Action Complaint (the "Complaint") (Doc. 10) for lack of jurisdiction pursuant to FRCP 12(b)(6), or in the alternative, to compel arbitration of Kubala's claims and stay the proceedings pending an arbitral award or motion to dismiss of the parties.

1.2 Kubala's Response to Supreme's Motion to Dismiss for Lack of Jurisdiction was filed June 2, 2015. (Doc. 16)

1.3 Defendant seeks leave of the Court to reply to the arguments raised in Kubala's Response and to provide the Court with all necessary opposing arguments and case law.

1.4 Plaintiffs do not oppose this motion for leave to reply.

1.5 Defendant seeks ten (10) days or until June 12, 2015 to file its reasoned reply.

### **PRAYER**

**WHEREFORE, PREMISES CONSIDERED,** Defendant **SUPREME PRODUCTION SERVICES, INC.**, respectfully prays that the Court grant ten (10) days leave to reply to Kubala's Response to Supreme's Motion to Dismiss for Lack of Jurisdiction, and for all other relief that the Court deems warranted in law and equity.

Respectfully submitted,

/s/ Tonya Beane Webber

Tonya Beane Webber

So. Dist. I.D. No. 6145

Texas Bar No. 21042300

Email: [twebber@prdq.com](mailto:twebber@prdq.com)

(361) 880-5824 – Direct line

(361) 880-5844 – Telefax

**ATTORNEY IN CHARGE FOR  
SUPREME PRODUCTION SERVICES, INC.**

### **OF COUNSEL:**

Lisa Alcantar

So. Dist. I.D. No: 1093319

Texas Bar No.: 24069824

Email: [lalcantar@prdq.com](mailto:lalcantar@prdq.com)

(210) 547-9325 - Direct Line

(210) 736-1992 – Telefax

**PORTER, ROGERS, DAHLMAN & GORDON, P.C.**

One Shoreline Plaza (Tonya Webber's Office)

800 N. Shoreline Blvd., Suite 800

Corpus Christi, Texas 78401

Telephone: (361) 880-5808

Telefax: (361) 880-5844

Trinity Plaza II (Lisa Alcantar's Office)

745 E. Mulberry Ave., Suite 450

San Antonio, Texas 78212

Telephone: (210) 736-3900

Telefax: (210) 736-1992

**CERTIFICATE OF CONFERENCE**

On June 3, 2015, I conferred with opposing counsel who state Plaintiffs are not opposed to this motion for leave to reply.

/s/ Tonya Beane Webber

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the above and foregoing instrument has been sent via **ELECTRONIC SERVICE** to counsel listed below on June 3, 2015.

Michael A. Josephson – [mjosephson@fibichlaw.com](mailto:mjosephson@fibichlaw.com)

Andrew W. Dunlap – [adunlap@fibishlaw.com](mailto:adunlap@fibishlaw.com)

Lindsay R. Itkin – [litkin@fibichlaw.com](mailto:litkin@fibichlaw.com)

**FIBICH, LEEBRON, COPELAND, BRIGGS & JOSEPHSON**

AND

Richard J. Burch – [rburch@brucknerburch.com](mailto:rburch@brucknerburch.com)

**BRUCKNER BURCH PLLC**

/s/ Tonya Beane Webber